

*town of*



# *Rice Lake*

ORDINANCE #28

TOWN OF RICE LAKE, MINNESOTA

AN ORDINANCE ESTABLISHING STANDARDS FOR FATS, OILS, AND  
GREASE REDUCTION

**TOWN OF RICE LAKE  
ST. LOUIS COUNTY, MINNESOTA**

**ORDINANCE #28**

**AN ORDINANCE ESTABLISHING STANDARDS  
FOR FATS, OILS AND GREASE REDUCTION**

**SECTION 1: Authority and Purpose**

This Ordinance establishes standards for the reduction of fats, oils and grease by requiring proper grease interceptor design, installation, maintenance, reporting and the enforcement of penalties for failure to comply. This Ordinance will protect the health, welfare and safety of the public and the environment by requiring provisions for the reduction of fats, oils and grease, minimizing the impact on the Wastewater Collection and Transmission System.

**SECTION 2: Definitions**

- 2.1 “*Customer*” means any entity which discharges wastewater to the Town wastewater conveyance system.
- 2.2 “*Fats, Oils and Grease*” (FOG) means material, either liquid or solid, composed primarily of fat, oil and grease from animal, vegetable or mineral sources.
- 2.3 “*Food Service Facility*” includes the following types of establishments: Full service restaurants, fast food establishments, delicatessens, cafeterias, school cafeterias, church kitchen, hospitals and medical facilities, boarding houses, clubhouses, adult daycare facilities, assisted living facilities, convalescent homes, meat distributors and processing facilities, food processing facilities, grocery stores with food preparation/service areas, bakeries, caterers and or other similar types of operations with commercial kitchen equipment.
- 2.4 “*Grease Interceptor*” means a device designed to capture fats, oils and grease prior to discharge to a sanitary sewer. Also termed grease traps or grease recovery devices.
- 2.5 “*Town*” means the Town of Rice Lake, Minnesota.
- 2.6 “*Remodeling*” means physical change or operational change causing generation of the amount of FOG discharge to the sewer system in an amount that alone or collectively causes or creates a potential for sanitary sewer overflows to occur and involves any one or combination of the following: 1. Any change in plumbing in the food processing area. 2. A 30% increase in the net public seating area, 3. A 30% increase in the size of the kitchen area, or 4. Any change in the size or type of food preparation equipment.

**SECTION 3: Fats, Oils and Grease Reduction Requirements**

- 3.1. Requirements. The installation or upgrade, and maintenance, of grease control equipment at both new and existing FOG generating facilities must meet the following requirements:

- A. Grease Interceptors must be installed at all new FOG generating facilities.
  - B. Existing FOG generating facilities must install an approved, properly operated and maintained Grease Interceptor when any of the following conditions exist:
    - 1. If the Town determines the discharge of grease from the facility to the sewer has or is creating restrictions in the public sewer or is causing additional sewer maintenance costs.
  - C. Grease Interceptors must be of adequate size and efficiency and at a minimum shall be sized and installed in accordance with the State of Minnesota Administrative Rules, Chapter 4715, Plumbing Code and all applicable municipal plumbing codes.
  - D. Grease Interceptors shall be installed in the waste line leading from the sinks, drains or other fixtures where grease may be introduced, and must be readily accessible for cleaning and inspection.
  - E. FOG generating facilities must maintain records for all Grease Interceptor cleaning and maintenance activities in a format approved by the Town and have such records available for inspection.
  - F. FOG generating facilities must regularly clean and maintain the Grease Interceptor and properly dispose of captured material.
    - 1. Each facility must maintain records of the dates and means of disposal.
    - 2. Any removal and hauling of the captured materials not performed by the owner's personnel must be performed in compliance with all applicable laws and regulations by a licensed waste disposal contractor.
- 3.2 Variance. The Town may grant a variance or conditional waiver from the minimum requirements in Section 3.1 if the FOG generating facility demonstrates to the satisfaction of the municipality that any FOG discharge is negligible and will have an insignificant impact on the sewer system. At a minimum, the following conditions apply:
- A. The FOG generating facility must demonstrate that the discharge from its activities contains less than 100 mg/l of FOG.
  - B. The sampling and testing to demonstrate the concentration of grease in the discharge must be conducted, at the facilities expense, by an independent testing organization in accordance with acceptable industry standards.
- 3.3 The Town will perform periodic and random FOG equipment inspections, including scheduled inspections of known problem areas. Records of the inspections shall be maintained by the Town. An authorized agent of the Town or employee of the Town may at all reasonable hours, enter any private premises for the purpose of inspecting sewer system connections, plumbing, Grease Interceptors and appurtenances to assure compliance with this or other applicable laws, regulations and ordinances.

**Section 4: Penalties**

- 4.1. Any person found in violation of any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by penalty established in Minnesota law for a misdemeanor as may be amended from time to time. Any person convicted of a violation of this ordinance shall be required to pay the reasonable costs of prosecution.
- 4.2. The Town may in its discretion, seek any civil remedies available to it including remedies at law, in equity or other relief. In the event that civil remedy is pursued, the Town may seek reimbursement of any and all costs, disbursements, witness or other fees, as well as reasonable attorney's fees expended by the Town in order to enforce this Ordinance.
- 4.3. Other Remedies. Each right or remedy accruing to the Town under this Ordinance or at law is separate and distinct and may, at the Town's discretion, be exercised independently or simultaneously with any other right or remedy.

**Section 5: Record Retention**

Records required to be maintained under Section 3.1 shall be retained for a minimum of seven years from the date of creation of the record. Records include written, photographic, recorded, electronic, or stored data of any kind.

**Section 6: Severability**

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

**Section 7: Impact Upon Other Property**

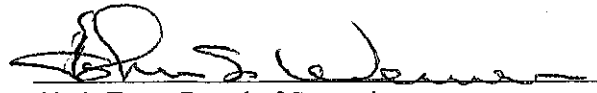
Should this Ordinance be declared unconstitutional or invalid in its application to any given property or use, such decision shall not affect the validity or constitutionality of this Ordinance as applied to other properties or uses.

**Section 8: More Restrictive Standards**

More restrictive Federal, State, and or County regulations or standards shall take precedence over the provisions of this Ordinance.

**Section 9: Repealer**

This ordinance hereby repeals and replaces ordinance #28 approved December 14, 2010, Establishing Standards for Fats, Oils, and Grease Reduction, and any amendments thereto prior to the date of passage of this ordinance.

  
Chair Town Board of Supervisors

ATTEST:

  
Town Clerk